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CLIENT/MATTER NUMBER
027551-0102

November 14, 2018

VIA E-MAIL AND U.S. MAIL

Zoning Administrator, Matt Tucker
City of Madison Zoning Board of Appeals
126 S. Hamilton Street
Madison, WI 53703

Re: Edgewood High School

Dear Matt,



I am writing to you on behalf of our client, Edgewood High School of the Sacred Heart, Inc., ("Edgewood") in response to your email, sent on Friday, October 26, 2018 to Mr. Michael Elliott and Mr. Brian Munson, with respect to Edgewood's use of the athletic fields under the adopted Master Plan for Edgewood's campus. You raised a concern about the "extensive use" of the athletic field on the campus, indicating that such use extends beyond the uses specifically identified in the Master Plan. Please note that Edgewood's current use, extensive as it may be, is consistent with the historical use of the athletic fields. To the extent the Master Plan may be interpreted in a way which does not expressly permit the current use, Edgewood's position is that such use is a legal non-conforming use and may continue.

By way of background, effective as of January 2, 2013, the City adopted changes to the City zoning code which created and established the Campus Institutional (CI) District under Madison General Ordinance 28.097 (the "CI Ordinance"). The City zoning map was also amended to include the Edgewood Campus in such CI District. Accordingly, pursuant to MGO 29.097(2), Edgewood submitted a Campus Master Plan, which was conditionally approved in 2014 and adopted in 2015.

We understand that your recent review of the Edgewood Master Plan generated your concern about the existing usage of the athletic fields. Section 3.8 of the Master describes the athletic field as "used for team practices, physical education classes." We note that nothing in the Master Plan prohibits additional uses of the fields and for decades, Edgewood has not only used the athletic fields for educational classes and athletic practices, but also for competitive games in varying capacities.

Any interpretation of the CI Ordinance, Master Plan and permitted uses of the athletic field on the Edgewood campus thereunder must acknowledge uses of the land in place at the time the

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CI Ordinance was adopted. Under MGO 29.191, these uses may continue and are permitted as legal non-conforming uses. Accordingly, use of the Edgewood athletic field is not limited to team practices and educational classes, but rather Edgewood shall have the right to continue using the field for games and events, consistent with its historical use.

Edgewood would be happy to sit down with you to discuss and share documentation with respect to the historical usage of the athletic fields at your convenience. We thank you for your continued attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katherine R. Rist', written over a horizontal line.

Katherine R. Rist

KRMI:kea